

Calendar No. 633

108TH CONGRESS
2D SESSION

S. 976

To provide for the issuance of a coin to commemorate the 400th anniversary
of the Jamestown settlement.

IN THE SENATE OF THE UNITED STATES

MAY 1, 2003

Mr. WARNER (for himself, Mrs. CLINTON, Mrs. FEINSTEIN, Mrs. DOLE, Mrs. HUTCHISON, Mr. LEVIN, Mr. LEAHY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. JEFFORDS, Mr. JOHNSON, Mr. SCHUMER, Mr. HATCH, Mr. CAMPBELL, Mr. NICKLES, Mr. DOMENICI, Mr. BUNNING, Mr. ENZI, Mr. KERRY, Mr. SUNUNU, Mr. ALLARD, Mr. CHAFEE, Mr. CHAMBLISS, Mr. GRAHAM of South Carolina, Mr. SESSIONS, Mr. BAYH, Mr. FITZGERALD, Mr. LUGAR, Mr. BREAUX, Mr. COLEMAN, Mr. SANTORUM, Mr. DODD, Mr. WYDEN, Mr. NELSON of Florida, Ms. MURKOWSKI, Mr. CARPER, Mr. KENNEDY, Mr. INHOFE, Mr. DURBIN, Mr. PRYOR, Mr. MILLER, Ms. COLLINS, Mr. SPECTER, Mr. CORNYN, Mr. BIDEN, Mr. ENSIGN, Mr. AKAKA, Mr. NELSON of Nebraska, Mr. CORZINE, Mr. CRAPO, Mrs. BOXER, Mrs. LINCOLN, Mr. LIEBERMAN, Mr. DEWINE, Mr. SMITH, Mr. BENNETT, Mr. INOUE, Mr. GRASSLEY, Mr. STEVENS, Ms. MIKULSKI, Mr. THOMAS, Mr. ALEXANDER, Mr. ROBERTS, Mr. REID, Mr. BOND, Mr. HAGEL, Mr. DAYTON, Mr. EDWARDS, Mr. COCHRAN, Ms. SNOWE, Mr. BURNS, and Mr. LOTT) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

JULY 14, 2004

Reported by Mr. SHELBY, without amendment

A BILL

To provide for the issuance of a coin to commemorate the
400th anniversary of the Jamestown settlement.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Jamestown 400th An-
 5 niversary Commemorative Coin Act of 2003”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the founding of the colony at Jamestown,
 9 Virginia in 1607, the first permanent English colony
 10 in America, and the capital of Virginia for 92 years,
 11 has major significance in the history of the United
 12 States;

13 (2) the Jamestown settlement brought people
 14 from throughout the Atlantic Basin together to form
 15 a multicultural society, including English, other Eu-
 16 ropeans, Native Americans, and Africans;

17 (3) the economic, political, religious, and social
 18 institutions that developed during the first 9 decades
 19 of the existence of Jamestown continue to have pro-
 20 found effects on the United States, particularly in
 21 English common law and language, cross cultural re-
 22 lationships, manufacturing, and economic structure
 23 and status;

24 (4) the National Park Service, the Association
 25 for the Preservation of Virginia Antiquities, and the

1 Jamestown-Yorktown Foundation of the Common-
2 wealth of Virginia collectively own and operate sig-
3 nificant resources related to the early history of
4 Jamestown;

5 (5) in 2000, Congress established the James-
6 town 400th Commemoration Commission to ensure
7 a suitable national observance of the Jamestown
8 2007 anniversary and to support and facilitate mar-
9 keting efforts for a commemorative coin, stamp, and
10 related activities for the Jamestown 2007 observ-
11 ances;

12 (6) a commemorative coin will bring national
13 and international attention to the lasting legacy of
14 Jamestown, Virginia; and

15 (7) the proceeds from a surcharge on the sale
16 of such commemorative coin will assist the financing
17 of a suitable national observance in 2007 of the
18 400th anniversary of the founding of Jamestown,
19 Virginia.

20 **SEC. 3. COIN SPECIFICATIONS.**

21 (a) \$5 GOLD COINS.—The Secretary of the Treasury
22 (in this Act referred to as the “Secretary”) shall issue not
23 more than 100,000 \$5 coins, which shall—

24 (1) weigh 8.359 grams;

25 (2) have a diameter of 0.850 inches; and

1 (3) contain 90 percent gold and 10 percent
2 alloy.

3 (b) \$1 SILVER COINS.—The Secretary shall issue not
4 more than 500,000 \$1 coins, which shall—

5 (1) weigh 26.73 grams;

6 (2) have a diameter of 1,500 inches; and

7 (3) contain 90 percent silver and 10 percent
8 copper.

9 (c) LEGAL TENDER.—The coins minted under this
10 Act shall be legal tender, as provided in section 5103 of
11 title 31, United States Code.

12 (d) NUMISMATIC ITEMS.—For purposes of section
13 5132(a)(1) of title 31, United States Code, all coins mint-
14 ed under this Act shall be considered to be numismatic
15 items.

16 (e) SOURCES OF BULLION.—

17 (1) GOLD.—The Secretary shall obtain gold for
18 minting coins under this Act pursuant to the author-
19 ity of the Secretary under section 5116 of title 31,
20 United States Code.

21 (2) SILVER.—The Secretary shall obtain silver
22 for the coins minted under this Act only from stock-
23 piles established under the Strategic and Critical
24 Minerals Stock Piling Act (50 U.S.C. 98 et seq.).

1 **SEC. 4. DESIGN OF COINS.**

2 (a) DESIGN REQUIREMENTS.—

3 (1) IN GENERAL.—The design of the coins
4 minted under this Act shall be emblematic of the
5 settlement of Jamestown, Virginia, the first perma-
6 nent English settlement in America.

7 (2) DESIGNATION AND INSCRIPTIONS.—On
8 each coin minted under this Act, there shall be—

9 (A) a designation of the value of the coin;

10 (B) an inscription of the year “2007”; and

11 (C) inscriptions of the words “Liberty”,
12 “In God We Trust”, “United States of Amer-
13 ica”, and “E Pluribus Unum”.

14 (b) DESIGN SELECTION.—Subject to subsection (a),
15 the design for the coins minted under this Act shall be—

16 (1) selected by the Secretary after consultation
17 with—

18 (A) the Jamestown 2007 Steering Com-
19 mittee, created by the Jamestown-Yorktown
20 Foundation of the Commonwealth of Virginia;

21 (B) the National Park Service; and

22 (C) the Commission of Fine Arts; and

23 (2) reviewed by the Citizens Commemorative
24 Coin Advisory Committee.

1 **SEC. 5. ISSUANCE OF COINS.**

2 (a) **QUALITY OF COINS.**—Coins minted under this
3 Act shall be issued in uncirculated and proof qualities.

4 (b) **MINT FACILITY.**—Only 1 facility of the United
5 States Mint may be used to strike any particular quality
6 of the coins minted under this Act.

7 (c) **PERIOD FOR ISSUANCE.**—The Secretary may
8 issue coins minted under this Act only during the period
9 beginning on January 1, 2007, and ending on December
10 31, 2007.

11 **SEC. 6. SALE OF COINS.**

12 (a) **SALE PRICE.**—The coins minted under this Act
13 shall be sold by the Secretary at a price equal to the sum
14 of—

15 (1) the face value of the coins;

16 (2) the surcharge provided in subsection (c)
17 with respect to such coins; and

18 (3) the cost of designing and issuing the coins
19 (including labor, materials, dies, use of machinery,
20 overhead expenses, marketing, and shipping).

21 (b) **PREPAID ORDERS.**—

22 (1) **IN GENERAL.**—The Secretary shall accept
23 prepaid orders for the coins minted under this Act
24 before the issuance of such coins.

1 (2) DISCOUNT.—Sale prices with respect to pre-
 2 paid orders under paragraph (1) shall be at a rea-
 3 sonable discount.

4 (c) BULK SALES.—The Secretary shall make bulk
 5 sales of the coins minted under this Act at a reasonable
 6 discount.

7 (d) SURCHARGE.—All sales of coins minted under
 8 this Act shall include a surcharge of—

9 (1) \$35 per coin for the \$5 coin; and

10 (2) \$10 per coin for the \$1 coin.

11 **SEC. 7. GENERAL WAIVER OF PROCUREMENT REGULA-**
 12 **TIONS.**

13 (a) IN GENERAL.—Except as provided in subsection
 14 (b), no provision of law governing procurement or public
 15 contracts shall be applicable to the procurement of goods
 16 and services necessary for carrying out the provisions of
 17 this Act.

18 (b) EQUAL EMPLOYMENT OPPORTUNITY.—Sub-
 19 section (a) shall not relieve any person entering into a con-
 20 tract under the authority of this Act from complying with
 21 any law relating to equal employment opportunity.

22 **SEC. 8. DISTRIBUTION OF SURCHARGES.**

23 (a) RECIPIENTS.—

24 (1) IN GENERAL.—All surcharges received by
 25 the Secretary from the sale of coins minted under

1 this Act shall be promptly paid by the Secretary to
2 the recipients listed under paragraphs (2) and (3).

3 (2) JAMESTOWN-YORKTOWN FOUNDATION.—

4 The Secretary shall distribute 50 percent of the sur-
5 charges described under paragraph (1) to the
6 Jamestown-Yorktown Foundation of the Common-
7 wealth of Virginia, to support programs to promote
8 the understanding of the legacies of Jamestown.

9 (3) OTHER RECIPIENTS.—

10 (A) IN GENERAL.—The Secretary shall
11 distribute 50 percent of the surcharges de-
12 scribed under paragraph (1) to the entities
13 specified under subparagraph (B), in equal
14 shares, for the purposes of—

15 (i) sustaining the ongoing mission of
16 preserving Jamestown;

17 (ii) enhancing the national and inter-
18 national educational programs;

19 (iii) improving infrastructure and ar-
20 chaeological research activities; and

21 (iv) conducting other programs to
22 support the commemoration of the 400th
23 anniversary of Jamestown.

24 (B) ENTITIES SPECIFIED.—Entities speci-
25 fied under this subparagraph are—

1 (i) the Secretary of the Department of
2 the Interior;

3 (ii) the President of the Association
4 for the Preservation of Virginia Antiquities; and
5

6 (iii) the Chairman of the Jamestown
7 Yorktown Foundation.

8 (b) AUDITS.—The Comptroller General of the United
9 States shall have the right to examine such books, records,
10 documents, and other data of the entities specified in sub-
11 section (a), as may be related to the expenditure of
12 amounts distributed under subsection (a).

13 **SEC. 9. FINANCIAL ASSURANCES.**

14 (a) NO NET COST TO THE GOVERNMENT.—The Sec-
15 retary shall take such actions as may be necessary to en-
16 sure that minting and issuing coins under this Act will
17 not result in any net cost to the United States Govern-
18 ment.

19 (b) PAYMENT FOR COINS.—A coin shall not be issued
20 under this Act unless the Secretary has received—

21 (1) full payment for the coin;

22 (2) security satisfactory to the Secretary to in-
23 demnify the United States for full payment; or

24 (3) a guarantee of full payment satisfactory to
25 the Secretary from a depository institution, the de-

- 1 posits of which are insured by the Federal Deposit
- 2 Insurance Corporation or the National Credit Union
- 3 Administration.

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